



House Bill 3838
Felony Convictions All Systems

Sponsor: Bradley, Richard

Summary: The legislation amends several articles of the Illinois pension code that eliminate benefits for members who have been convicted of a job-related felony. The TRS article of the pension code is amended to define the amount of a refund that these members are eligible to collect.

Analysis: The refund shall consist of the member contributions minus any amount of benefit already paid to the member or an alternate payee under a qualified domestic relations order (QILDRO). The legislation does not require repayment of any benefits that have been received by the member. The refund shall not include any employer contribution. Furthermore, the legislation specifies that these changes do not violate the Illinois Constitution in relation to the diminishment or impairment of a benefit.

Comments: Many TRS employers pay the member contribution. It is unclear if contributions that are paid by the employer on behalf of the member are refundable to members that are convicted of a job-related felony under the legislation. This provision might result in the convicted member becoming eligible for a refund of contributions that were paid by the employer.